IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

Bail Appl..No. 7186 of 2006()

OR.6/2006 of JUDL. MAGISTRATE OF FIRST CLASS, KOTHAMANGALAM

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PETITIONERS/ACCUSESD

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1. ANILKUMAR, S/O. THANKAPPAN,
   KOIKAL HOUSE, VIRINJAPARA MANKULAM VILLAGE,
   DEVIKULAM TALUK.

2. BAIJU, S/O. RAJAPPAN,
   PARAKUZHIL HOUSE, VIRINGAPRA,
   MANKULAM VILLAGE, DEVIKULAM TALUK.

3. JOYI,
   PANANAL HOUSE, PAMPUMKAYAM,
   MANKULAM VILLAGE, DEVIKULAM TALUK.

4. MOHANAN, S/O. SURENDRAN,
   KOCHUVEETTIL HOUSE, NOW RESIDING AT MANKULAM
   IN DEVIKULAM TALUK FROM VADATTUPARA OF
   KOTHAMANGALAM TALUK.

5. MANOJ,
   KEERIKUNNEL HOUSE, MANKULAM VILLAGE,
   DEVIKULAM TALUK.

BY ADV. SRI.JOHN JOSEPH(ROY)

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA, REPRESENTED BY
THE DEPUTY RANGE OFFICER, KUTTAMPUZHA RANGE,
ANAKULAM FOREST STATION, ANAKULAM.

BY PUBLIC PROSECUTOR SRI. P. N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 7186 of 2006

DATED: December 4, 2006

O R D E R

Petitioners who are accused Nos. 2,3,5, 6 and 9 in O.R. No. 6/06 of Anakulam Forest Station of Kuttampuzha Range for offences punishable under Secs. 27(i),(e) III and IV of Kerala Forest (Amendment) Act 1993 for allegedly cutting and removing a teak tree from the reserve forest some time in September 2006, seek anticipatory bail.

2. The learned Public Prosecutor opposed the application. The learned counsel for the petitioners submitted that they have been falsely implicated by the first accused Rajendran.

3. It is too early to conclude that the petitioners have been falsely implicated in this case. Anticipatory bail cannot be granted in a forest offence of this nature. It is for the petitioners to seek regular bail after surrendering before the concerned Magistrate's Court. Accordingly, if the petitioners surrender before the magistrate court within two weeks from today and file an application for regular bail, the same shall be considered and disposed of preferably on the same day on which it is filed.

With the above observation this application is dismissed.

Sd/-V.RAMKUMAR,

JUDGE.

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